

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PATRICIA KRAUS on behalf of DAVID SCHIED,

Petitioner,

v.

CASE NO. 2:12-CV-12791  
HONORABLE DENISE PAGE HOOD

JERRY NIELSEN,

Respondent.

**ORDER DENYING APPLICATION TO  
PROCEED *IN FORMA PAUPERIS* ON APPEAL**

On July 6, 2012, the Court issued a Judgment and an Order denying the Petition for Writ of Habeas Corpus filed by Patricia Kraus on behalf of David Schied. In that Order, the Court declined to issue a certificate of appealability and denied any application to proceed *in forma pauperis* on appeal. (Doc. # 7) The instant application to proceed *in forma pauperis* was filed on July 31, 2012, which the Court considers as an untimely motion for reconsideration of the Court's Order issued on July 6, 2012. In any event, for the same reasons set forth in the Court's July 6, 2012 Order, the Court finds that any appeal would be frivolous and cannot be taken in good faith. *See*, Fed. R. App. P. 24(a). Accordingly,

IT IS ORDERED that the Application to Proceed *In Forma Pauperis* on Appeal (**Doc. # 12, filed July 31, 2012**) is DENIED.

S/Denise Page Hood  
United States District Judge

Dated: August 3, 2012

I hereby certify that a copy of the foregoing document was served upon David Schied #548643, 101 Fast Ice Drive, Midland, MI 48642 and counsel of record on August 3, 2012, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager